

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6620
BILL NUMBER: HB 1525

NOTE PREPARED: Dec 16, 2002
BILL AMENDED:

SUBJECT: Contributing to delinquency.

FIRST AUTHOR: Rep. Kuzman
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill makes contributing to delinquency a Class C felony instead of a Class A misdemeanor if the offense results in the death of the person less than 18 years of age who committed the act of delinquency.

Effective Date: July 1, 2003.

Explanation of State Expenditures: Under current law, contributing to delinquency is a Class A misdemeanor if someone at least 18 years of age knowingly or intentionally encourages, aids, induces, or causes a person less than 18 years old to commit an act of delinquency. If the act of delinquency resulted in the death of the person less than 18 years old, the crime would be a Class C felony.

State expenditures could increase if an offender is incarcerated in a state prison rather than in a local jail. A Class C felony is punishable by a prison term ranging between two and eight years. The period of incarceration will depend upon mitigating and aggravating circumstances. The average expenditure to house an adult offender was \$25,087 in FY 2001. Individual facility expenditures ranged from \$18,520 to \$54,465. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost per offender for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily. The average length of stay in Department of Correction facilities for all Class C felony offenders is approximately two years.

Explanation of State Revenues: More revenue to the Common School Fund could be collected if a larger criminal fine is assessed by the sentencing court. The maximum fine for a Class A misdemeanor is \$5,000, while the maximum fine for a Class C felony is \$10,000. Court fees for both misdemeanors and felonies are

\$120.

Explanation of Local Expenditures: If an offender is sentenced to state prison rather than to a county jail, the costs to the county may be reduced. The maximum term of imprisonment for a Class A misdemeanor is up to one year. The average daily cost to incarcerate a prisoner in a county jail is roughly \$44.

Explanation of Local Revenues: Court fees for both misdemeanors and felonies are \$120.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts; local law enforcement agencies.

Information Sources: Indiana Sheriffs Association.

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